

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:

**RONALD EUGENE MCCORKLE
LINDA KAY MCCORKLE**

**10-80506
CHAPTER 7**

ORDER GRANTING RELIEF FROM AUTOMATIC STAY

THIS MATTER came before the undersigned United States Bankruptcy Judge for the Middle District of North Carolina for consideration of the Motion for Relief from Stay to foreclose on certain real property located at 236 Eagle Bluff, Oakwood, IL 61858, filed by JPMorgan Chase Bank, National Association. The Court having considered the Motion and the other matters of record in this case finds and concludes as follows:

1. JPMorgan Chase Bank, National Association filed the Motion on April 6, 2010.
2. The Clerk of the Bankruptcy court gave notice to interested parties on April 7, 2010, that any objection to the Motion must be filed with the court by April 19, 2010 and that if no objections were filed within that time period, the Court would consider the Motion without hearing. The Notice further provided the date, time and location of the hearing which would be held if objections were timely filed.
3. No objection to the Motion has been filed by any interested party, and the time within which objections must be filed as set forth in the Notice from the Clerk of the Bankruptcy Court has expired.
4. Cause exists for modification of the stay of 11 U.S.C. §362, including failure to make payments pursuant to the secured note and lack of adequate protection.

NOW, THEREFORE, it is hereby **ORDERED, ADJUDGED AND DECREED** that JPMorgan Chase Bank, National Association is granted relief from the automatic stay provided by Title 11 U.S.C. §362; and that the noteholder, or a duly appointed Substitute Trustee be allowed to repossess or exercise the Power of Sale granted under the Deed of Trust referred to above; and

IT IS ALSO ORDERED that Rule 4001(a)(3) of the Bankruptcy Code is not applicable and JPMorgan Chase Bank, National Association may immediately enforce and implement this order granting relief from the automatic stay.

IT IS FURTHER ORDERED that if a sale is held and excess proceeds are derived, then the proceeds shall be deposited with the Chapter 7 Trustee in this proceeding.

IT IS FURTHER ORDERED that the Movant is granted relief from the automatic stay to contact the Debtor by telephone or written correspondence and, at its option, offer, provide and enter into any potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Any such communications by or on behalf of the Movant shall cease immediately upon the written or verbal request of the Debtor.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:

**RONALD EUGENE MCCORKLE
LINDA KAY MCCORKLE**

**10-80506
CHAPTER 7**

CERTIFICATE OF SERVICE

The Order Granting Relief has been served upon the following parties:

Ronald Eugene McCorkle and Linda Kay McCorkle
5506 Old Noble Road
Cedar Grove, NC 27231

John T. Orcutt
6616-203 Six Forks Rd.
Raleigh, NC 27615

Sara Conti
Post Office Box 939
Carrboro, NC 27510

Michael D. West
101 W. Sycamore Street
P.O. Box 1828
Greensboro, NC 27402